

SEP 27 2005

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

JOHN F. CORCORAN, CLERK  
BY: *J. Craft*  
DEPUTY CLERK

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that the stay imposed in this action is hereby **LIFTED** and that upon review of the complaint, the action is hereby **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1), and is stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiff and to counsel of record for the defendants.

ENTER: This 37<sup>th</sup> day of September, 2005.

James L. West  
Senior United States District Judge